

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM JANDRES,

Plaintiff,

-against-

AMENDED ORDER OF DISMISSAL
FOR LACK OF ACTIVITY
ADOPTING REPORT &
RECOMMENDATION
12-CV-3132 (JS) (GRB)

CORRECTIONS OFFICER DWAYNE EVANS,

Defendant.

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APPEARANCES:

For Plaintiff William Jandres, pro se
Address unknown

For Defendant Ralph Reissman, Esq.
Nassau County Attorney's Office
1 West Street
Mineola, NY 11501

SEYBERT, District Judge:

The above-captioned action was opened with the filing of a Complaint on June 21, 2012.

Magistrate Judge Gary R. Brown issued a Report & Recommendation ("R&R") on March 9, 2016 (Docket Entry 45), recommending that the case be dismissed for failure to prosecute. The R&R contains a thorough summary of the progress of the case, or lack thereof, and a compelling set of reasons for the recommendation. Therefore, as no objection has been received, the R&R is ADOPTED.

IT IS HEREBY ORDERED that the case be DISMISSED with prejudice for lack of prosecution, pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Clerk of the Court is directed to enter judgment and mark the case CLOSED.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 21 (1962).

This Order shall amend and supersede the Court's Order of Dismissal dated April 26, 2016 (Docket Entry 47).

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: May 23, 2016
Central Islip, New York